

## REMARKS

### Summary of the Office Action

Claims 1-3 and 5-12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP 05-142880 to Mishima in view of U.S. Patent No. 5,974,312 to Hayes et al.

Claims 16-18 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,798,997 to Hayward et al. in view of Hayes et al.

Claims 13-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mishima in view of Hayes et al. and Hayward et al.

### Summary of the Response to the Office Action

Applicants have amended claims 13-15 to differently define the invention, and canceled claims 1-3, 5-12 and 16-18 without prejudice or disclaimer. Accordingly, claims 13-15 remain pending in this application for further consideration.

### All Claims Define Allowable Subject Matter

Claims 1-3 and 5-12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mishima in view of Hayes et al., claims 16-18 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hayward et al. in view of Hayes et al., and claims 13-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mishima in view of Hayes et al. and Hayward et al. To the extent that these rejections might still apply to the newly amended claims, they are respectfully traversed as being based upon references that neither teach nor suggest the novel combination of features now clearly recited in the claims.

Since claims 1-3, 5-12 and 16-18 have been canceled without prejudice or disclaimer, Applicants respectfully submit that the rejection of claims 1-3 and 5-12 and the rejection of claims 16-18 are rendered moot. Moreover, Applicants have amended claim 13 into an independent claim.

With regard to claim 13, as newly-amended, Applicants respectfully submit that Mishima, Hayes et al. and Hayward et al., whether taken individually or in combination, do not teach or suggest the claimed combination, including at least the recited feature of “wherein the control means displays the advertisement information on a non-image area of the recording sheet upon forming the image.”

The Office Action at Section 6 alleges that “Mishima et al in view of Hayes et al. disclose every aspect of applicant’s claimed invention except that the memory part can store advertisement information showing advertisement as the control information, and printing the advertisement information on a recording sheet upon forming an image.” Then, the Office Action relies upon Hayward et al. to remedy the deficiencies by alleging that “Hayward et al disclose a memory part storing advertisement information showing advertisement as the control information and printing the advertisement information on a recording sheet upon forming an image.” However, in contrast to the present invention of newly-amended claim 13, none of the applied references teaches or suggests the feature of “wherein the control means displays the advertisement information on a non-image area of the recording sheet upon forming the image,” as recited by newly-amended claim 13.

Accordingly, Applicants respectfully assert that the rejections of claim 13 under U.S.C.

§ 103(a) should be withdrawn because the applied references do not teach or suggest each and every feature of newly-amended claim 13. MPEP § 2143.03 instructs that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)." Furthermore, Applicants respectfully assert that the rejections of claims 14 and 15 should also be withdrawn at least because of their respective dependencies upon newly-amended claim 13 and the reasons set forth above.

With no other rejection pending, Applicants respectfully submit that claims 13-15 are in condition for allowance.

**CONCLUSION**

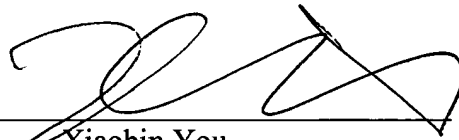
In view of the foregoing, Applicants respectfully request the reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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By: \_\_\_\_\_



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